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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

ROSA ISELA RIVERA,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 1:23-cv-00900-JLT-BAM

STIPULATION AND ~~PROPOSED~~ ORDER
FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, with this Court's approval, to extend the time by 31 days, from January 26, 2024 to February 26, 2024, for Defendant to file his Cross-Motion for Summary Judgment. All other dates in this Court's Scheduling Order shall be extended accordingly.

This is Defendant's first request for an extension of time. Plaintiff's counsel does not oppose the requested extension.

1 The undersigned counsel for the Commissioner respectfully submits that good cause exists
 2 for the requested extension. Due to ongoing staffing fluctuations and organizational changes, the
 3 undersigned counsel for the Commissioner has been tasked with additional duties including
 4 serving as a jurisdictional coordinator, reviewing other attorneys' work, training and mentoring
 5 new attorneys, and handling more cases. The above-captioned case was recently reassigned to the
 6 undersigned, who is responsible for 45 cases pending in District Court and the Ninth Circuit. As
 7 a result, and despite diligent efforts to comply with this Court's Scheduling Order, counsel for the
 8 Commissioner needs an extension in the instant case to review the administrative record, consider
 9 the issues that Plaintiff has raised, confer with her client as necessary, and prepare the
 10 Commissioner's Cross-Motion.
 12

13 Respectfully submitted,

14 Dated: January 19, 2024

PENA & BROMBERG, PLC

15 By: /s/ Jonathan O. Pena*
 16 JONATHAN O. PENA
 17 Attorney for Plaintiff
 18 [*as authorized by email on Jan. 19, 2024]

19 Dated: January 22, 2024

20 PHILLIP A. TALBERT
 21 United States Attorney
 22 MATHEW W. PILE
 23 Associate General Counsel
 24 Office of Program Litigation, Office 7

25 By: /s/ Margaret Branick-Abilla
 26 MARGARET BRANICK-ABILLA
 27 Special Assistant United States Attorney
 28 Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation, and good cause appearing, Defendant shall have an extension, up to and including February 26, 2024, to submit his Cross-Motion for Summary Judgment, with other case deadlines extended accordingly.

IT IS SO ORDERED.

Dated: January 22, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE